

HOUSE No. 1138

By Ms. Blumer of Framingham, petition of Deborah D. Blumer and others relative to per student funding for public schools in the Commonwealth. Education.

The Commonwealth of Massachusetts

PETITION OF:

Deborah D. Blumer	Jennifer M. Callahan
David Paul Linsky	James B. Eldridge
Michael E. Festa	Anne M. Paulsen
Shirley Gomes	

In the Year Two Thousand and Five.

AN ACT RELATIVE TO ADEQUATE AND EQUITABLE EDUCATION FINANCE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Section 1 of chapter 70 of the General Laws is
2 hereby amended by striking the section and inserting in place
3 thereof the following paragraph:—
4 Section 1. It is the intention of the general court, subject to
5 appropriation, to assure fair and adequate per student funding for
6 public schools in the commonwealth by defining a foundation
7 budget and a standard of local funding effort applicable to every
8 city and town in the commonwealth. It is the further intention the
9 commonwealth shall provide funds necessary to supplement local
10 funding to ensure equitable distribution of state funds. In order to
11 promote effective use of resources, the general court intends that
12 multi-year financial plans be developed to achieve adequacy,
13 equity and predictability.
14 The definition of adequate education shall include full-time
15 kindergartens, pre-school special changes the education inclusion
16 classes, k-3 class size ratios of 18 or less, and grades 4-8 of 25 or
17 less, added weighting for students requiring special education, for
18 students whose first language is other than English who are in

19 regular education programs, for bilingual, immersion and ESL
20 programs, for vocational-education, for students whose family
21 incomes qualify for free or reduced lunches, and for extended day
22 or extended year programs for low and moderate incomes students
23 and those who have not achieved advanced or proficient status on
24 MCAS. The foundation budget also includes funding for staff
25 development, support and administrative services, transportation,
26 educational technology, as well as testing and evaluation. This
27 legislation also revises the distribution formula for Chapter 70 aid
28 to weight median income as well as residential and
29 commercial/industrial property value per student. The legislation
30 also provides for a 5 year phase-in process (20% adjustment per
31 year), with a minimum of 10% and a maximum of 90% aid to any
32 school district. The legislation prioritizes restoration of any
33 monies cut from Chapter 70 to operating school districts in the
34 FY2002- 2004 period.

1 SECTION 2. Section 2 of chapter 70 is hereby amended by
2 striking out the definition of “Adjusted property valuation” and
3 inserting in place thereof the following definition:—

4 “Adjusted property valuation”, the sum of the equalized indus-
5 trial and commercial property valuation and the equalized residen-
6 tial property valuation of the municipality. The equalized
7 residential property valuation shall be multiplied by (i) the most
8 recent median household income for the municipality, divided by
9 the median household income for the commonwealth for the same
10 period, as reported by the department of revenue or (ii) 1,
11 whichever is less.

1 SECTION 3. Said section 2 of chapter 70 is hereby further
2 amended by striking out the definition of “Assumed tuition-out
3 special education enrollment,” and inserting in place thereof the
4 following definition:—

5 “Tuitioned-out special education enrollment”, the total
6 tuitioned-out foundation enrollment in a district.

1 SECTION 4. Said section 2 of chapter 70 is hereby further
2 amended by striking out the definition of “Assumed in-school
3 special education enrollment” and inserting in place thereof the
4 following definition:—

5 “In-school special education enrollment”, the total in-school
6 special education foundation enrollment in a district.

1 SECTION 5. Said section 2 of chapter 70 is hereby further
2 amended by striking out the definition of “Base aid”, and inserting
3 in place thereof the following definition:—

4 “Base aid”, aid amounts payable to municipalities in any fiscal
5 year equal to the total of state school aid of the previous fiscal
6 year, less foundation aid in the current year.

1 SECTION 6: Said section 2 of said chapter 70, as so appearing,
2 is hereby further amended by striking out the definitions of “Com-
3 missioner” and “Department”, and inserting in place thereof the
4 following 2 definitions:—

5 “Commissioner”, the commissioner of education.

6 “Department”, the department of education.

1 SECTION 7. Said section 2 of said chapter 70, as so appearing,
2 is hereby further amended by inserting after the definition of
3 “District” the following 2 definitions:—

4 “District target gap”, for any district, the positive difference, if
5 any, between: (i) the district target share multiplied by the district
6 foundation budget; and (ii) the sum of the foundation aid and base
7 aid allotted to the district from all member municipalities.

1 SECTION 8. Said section 2 of said chapter 70, as so appearing,
2 is hereby further amended by striking out, in line 109, the words
3 “equity gap multiplied by the foundation aid per cent” and
4 inserting in place thereof the following words:— high contribu-
5 tion adjustment, if any.

1 SECTION 9. Said section 2 of said chapter 70, as so appearing,
2 is hereby further amended by striking out the definitions of
3 “Equity gap” and “Excess debt service amounts.”

1 SECTION 10. Said section 2 of said chapter 70, as so
2 appearing, is hereby further amended by inserting after the defini-
3 tion of “Extraordinary maintenance allotment” the following defi-
4 nition:—

5 “Fiscal strength index”, half the sum of the relative household
6 median income and the relative equalized property valuation per
7 pupil.

1 SECTION 11. Said section 2 of said chapter 70, as so
2 appearing, is hereby further amended by striking out, in lines 139
3 and 140, the words “gap multiplied by the statewide foundation
4 aid percent” and inserting in place thereof the following words:—
5 budget less the minimum required local contribution. Foundation
6 shall be calculated separately for each municipality’s share of
7 each district to which it belongs.

1 SECTION 12. Said section 2 of said chapter 70, as so
2 appearing, is hereby further amended by striking out the definition
3 of “Foundation aid percent”.

1 SECTION 13. Said section 2 of said chapter 70, as so
2 appearing, is hereby further amended by striking out the definition
3 of “Foundation gap”.

1 SECTION 14. Said section 2 of said chapter 70, as so
2 appearing, is hereby further amended by striking out the defini-
3 tions of “Gross overburden amounts” “Gross standard of effort”,
4 and “Local contribution” and inserting in place thereof the
5 following 5 definitions:—

6 “High contribution adjustment”, in fiscal year 2006, 1/5 of the
7 high contribution gap; in fiscal year 2007, 1/4 of the high contri-
8 bution gap; in fiscal year 2008, 1/3 of the high contribution gap;
9 in fiscal year 2009, 1/2 of the high contribution gap; in fiscal year
10 2010, of the high contribution gap; in fiscal year 2011, 1/2 of the
11 high contribution gap; in fiscal year 2012 and thereafter, the high
12 contribution gap.

13 “High contribution gap”, the positive difference, if any,
14 between a municipality’s implicit tax rate and 125 per cent of the
15 statewide average implicit tax rate, multiplied by the municipali-
16 ty’s adjusted property valuation.

17 “Implicit tax rate”, for any municipality, the preliminary local
18 contribution per 1000 dollars of adjusted property valuation.

19 “Low contribution adjustment”, in fiscal year 2006, 1/7 of the
20 low contribution gap; in fiscal year 2007, 1/6 of the low contribu-
21 tion gap; in fiscal year 2008, 1/5 of the low contribution gap; in
22 fiscal year 2009, 1/4 of the low contribution gap; in fiscal year
23 2010, 1/3 of the low contribution gap; in fiscal year 2011, 1/2 of
24 the low contribution gap; in fiscal year 2012 and thereafter, the
25 low contribution gap; provided, however, that the low contribution
26 adjustment shall not be greater than the positive difference, if any,
27 between: (a) the municipality’s foundation budget, including the
28 foundation budget associated with the municipality’s pupils
29 enrolled at local and regional districts of which the municipality is
30 a member; and (b) the sum of prior year state school aid and the
31 municipality’s current year preliminary local contribution with the
32 low contribution adjustment set at zero.

33 “Low contribution gap”, the positive difference, if any, between
34 75 per cent of the statewide average implicit tax rate and a munic-
35 ipality’s implicit tax rate, multiplied by the municipality’s
36 adjusted property valuation.

1 SECTION 15. Chapter 70 is hereby amended.